



Legislation Details (With Board Report)

File #: 22-774 **Name:** PSA with Wood Environmental for Enviro Analysis of outdoor commercial cannabis

Type: General Agenda Item **Status:** Failed

File created: 8/12/2022 **In control:** Board of Supervisors

On agenda: 8/30/2022 **Final action:**

Title: a. Approve a Professional Services Agreement with Wood Environment & Infrastructure Solutions, Inc., to conduct a programmatic-level environmental analysis for outdoor commercial cannabis pilot program operators, Request for Proposals #10840, in a not to exceed amount of \$261,939 for a three-year term commencing with the signing of the Agreement through July 31, 2025;
 b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Manager to execute this Agreement and future amendments that do not significantly alter the scope of work and/or change the amount by more than 10 percent.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment 1 - PSA with Wood, 3. Attachment 2 - RFP #10840, 4. Completed Board Order Item No. 55

Date	Ver.	Action By	Action	Result
8/30/2022	1	Board of Supervisors	denied	Fail

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 b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Manager to execute this Agreement and future amendments that do not significantly alter the scope of work and/or change the amount by more than 10 percent.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Approve a Professional Services Agreement with Wood Environment & Infrastructure Solutions, Inc., to conduct a programmatic-level environmental analysis for outdoor commercial cannabis pilot program operators, Request for Proposals #10840, in a not to exceed amount of \$261,939 for a three-year term commencing with the signing of the Agreement through July 31, 2025;
 b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Manager to execute this Agreement and future amendments that do not significantly alter the scope of work and/or change the amount by more than 10 percent.

SUMMARY/DISCUSSION:

On June 18, 2019, the Board of Supervisors adopted Ordinances Nos. 5311 and 5312 to add Chapters 20.69 and 21.69 to the Monterey County Code (MCC). Those Chapters established a five-year pilot program for outdoor commercial cultivation and related activities in certain coastal and inland unincorporated areas. The Coastal Commission certified Ordinance No. 5312 on September 27, 2019. Both Ordinances were exempt from the California Environmental Quality Act (CEQA) based on an exemption that expired July 1, 2021. (Bus. & Prof. Code § 26055(h).)

In May 2021, in response to the challenges outdoor cultivators were facing in applying for land use permits, the Board amended Chapters 20.69 and 21.69 of MCC in May 2021 to 1) extend the Pilot an additional three years; 2) add Permanent Grazing as an allowable zoning type within the Cachagua Area Plan; 3) increase the canopy limit from 10,000 to 20,000; and 4) reduce setbacks from the nearest offsite structure from 500 feet to 250 feet, with the ability for the reviewing authority to grant exceptions to the setbacks. The pilot program will now sunset in 2026 for inland areas. Within the coastal zone, the amended ordinance has not been certified by the Coastal Commission and, absent Coastal Commission action, will sunset in October 2024 per the 2019 Ordinance. These Ordinances were also exempt from CEQA based on an exemption that expired July 1, 2021. (Bus. & Prof. Code § 26055(h).)

To further streamline the processing of project-level outdoor cannabis projects and reduce processing challenges, the Housing and Community Development Department issued Request for Proposals (RFP) #10840, Programmatic Environmental Impact Report for Outdoor Commercial Cannabis Pilot Program Operators. The RFP's intent was to hire a consultant to conduct environmental review and prepare the necessary CEQA documentation for outdoor commercial cannabis cultivation on certain property within a portion of Supervisorial District 5 of Monterey County (Big Sur, Carmel Valley, and Cachagua).

Five submissions were received from highly qualified firms. The submissions were reviewed by a panel and interviews were conducted with each firm. Wood Environment & Infrastructure Solutions, Inc. was selected as consultant.

OTHER AGENCY INVOLVEMENT:

The Offices of the County Counsel and Auditor-Controller have reviewed the new PSA as to form and legality, and fiscal provisions, respectively.

FINANCING:

Monterey County's Cannabis Program is funded in County Administrative Office - Department 1050, Intergovernmental and Legislative Affairs Division - Unit 8533, Cannabis. Approval of this recommendation will not result in additional general fund contributions as funds will be used from the Department of Cannabis Control Local Jurisdiction grant award.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Monterey County Cannabis Program, working with the Housing and Community Development Department, addresses each of the Strategic Initiative Policy Areas that promote the growth of a responsible and legal Monterey County cannabis industry.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Kathleen Nielsen, Management Analyst II
Reviewed by: Joann Iwamoto, Program Manager II
Approved by: Erik V. Lundquist, Housing and Community Development Director

The following attachments are on file with the Clerk of the Board:

Attachment 1 - PSA with Wood

Attachment 2 - RFP #10840